

4-4-6 Retailers exempt from prosecution -- Conditions for exemption.

No retailer is subject to prosecution under this chapter if the retailer can establish that at the time the eggs were purchased the seller guaranteed that the eggs conformed to the grade and quality and size and weight stated in the purchase invoice and that the eggs were labeled for sale by the retailer in accordance with the purchase invoice; provided, that such guaranty by the seller does not exempt a retailer from prosecution if the eggs covered by the guaranty deteriorated to a lower grade or standard through some action or inaction of the retailer.

Enacted by Chapter 2, 1979 General Session